

Remarks:

Claims 3-5, 16, 24-25, 27, 36, 39, 41, and 45-47 remain for consideration in this application. Claims 39 has been amended. This amendment is being made to put the claims in condition for allowance and will not require any additional searching by the Examiner.

Turning now to the last office action, the Examiner rejected claims 24-25, 27, and 39 as being anticipated by U.S. Patent Publication No. 2004/0249099 to Kotzev. Of these rejected claims, claim 39 is the only one in independent format. The Applicants have amended claim 39 to recite that the EWG in Structure A of (III) is now EWG', which is selected from the group consisting of iminos, carboxylic acids, carboxylic esters, carboximido, and sulfonyls groups. Kotzev does not teach or suggest any of the recited EWG' groups for Structure A of (III). It is submitted that this rejection should now be withdrawn.

Claim 24 defines the EWG group of the light attenuating compound as including cyano, but, because of the above amendment to claim 39, this limitation does not apply to Structure A of (III) because Structure A of (III) recites EWG' rather than EWG.

The Examiner also rejected claims 24-25 and 39 as being anticipated by U.S. Patent No. 5,187,048 to Woods et al. Applicants submit that claims 24-25 and 39 are not taught or suggested by Woods et al. for the same reasons argued above against Kotzev. That is, because Structure A of (III) has been amended to limit EWG' to groups selected from the group consisting of iminos, carboxylic acids, carboxylic esters, carboximido, and sulfonyls groups, claim 39 (and all claims depending therefrom) is patentable over the Woods et al. patent. It is submitted that this rejection should now be withdrawn as well.

It is noted with appreciation that the Examiner has found claims 3-5, 16, 36, 41, and 45-47 to be allowable over the art.

It is believed that no further issues remain in this case. In view of the foregoing, a Notice of Allowance is respectfully requested. Any additional fee which is due in connection with this amendment should be applied against Deposit Account No. 19-0522.

Respectfully submitted,

By 

Tracy Bornman, Reg. No. 42,347
HOVEY WILLIAMS LLP
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
816/474-9050

ATTORNEYS FOR APPLICANT(S)